

Legislative Rule-Making Review Committee
Minutes for Tuesday, November 17, 2020

House Chamber
9:00 a.m. to 5:00 p.m.

Senate

Sypolt, Chair	Present
Baldwin	
Jeffries	Present
Roberts	
Rucker	Present
Weld	Present
Carmichael, Nonvoting	

House

Foster, G., Chair	Present
Butler	
Fleischauer	Present
Martin, P.	Present
Rowe	Present
Steele	Present
Hanshaw, Nonvoting	

The Legislative Rule-Making Review Committee met in the House Chamber at 9:00 a.m. on Tuesday, November 17, 2020. The meeting was called to order by the Chair, Senator Sypolt. A silent roll call was taken by the Clerk to establish a quorum, as reflected above. Staff present included: Jeff Johnson, Senate Counsel; Mark McOwen, House Counsel; Robert Akers, House Counsel; Max Wilkinson, House Counsel; Sarah Canterbury, Senate Counsel; Jaclyn Schiffour, House Counsel; Charlie Roskovensky, House Counsel; Cindy Dellinger, Senate Counsel; James Fuerhoff, Director of Legislative Rule-Making Review Committee.

1. Mark McOwen, Associate Counsel, explained his abstract on the rule proposed by the **Division of Financial Institutions, Rule Pertaining to the Fintech Regulatory Sandbox, 106 CSR 21.**

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

2. Mark McOwen, Associate Counsel, explained his abstract on the rule proposed by the **Municipal Pensions Oversight Board, Exempt Purchasing, 211 CSR 02,** and responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

3. Mark McOwen, Associate Counsel, explained his abstract on the rule proposed by the **Development Office, Tourism Development Districts, 145 CSR 16.**

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

4. Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **State Board of Risk and Insurance Management, 115 CSR 02.**

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

5. Jeff Johnson, Associate Counsel, explained his abstract on the rule proposed by the **State Board of Risk and Insurance Management, 115 CSR 05.**

On motion of Delegate Foster, the rule was approved as filed.

6. Robert Akers, Associate Counsel, explained his abstract on the rule proposed by the **State Board of Risk and Insurance Management, 115 CSR 01.**

On motion of Delegate Foster, the rule was approved as filed.

7. Robert Akers, Associate Counsel, explained his abstract on the rule proposed by the **Office of Miners' Health, Safety, and Training, 56 CSR 08.**

On motion of Delegate Foster, the rule was approved as filed.

8. Max Wilkinson, Associate Counsel, explained his abstract on the rule proposed by the **Division of Highways, Traffic and Safety Rules, 157 CSR 05.**

On motion of Delegate Foster, the rule was approved as filed.

9. Max Wilkinson, Associate Counsel, explained his abstract on the rule proposed by the **Bureau of Senior Services, Shared Table Initiative for Senior Citizens, 76 CSR 06.**

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

10. Jaclyn Schiffour, Associate Counsel, explained her abstract on the rule proposed by the **Division of Labor, Steam Boiler Inspection, 42 CSR 03,** and responded to questions from the Committee.

Carla Campbell, Director of Safety Protection, Division of Labor, addressed the Committee and responded to questions.

Shawn Porcella, Division of Labor, addressed the Committee and responded to questions.

On motion of Delegate Foster, the rule was laid over to the Committee's December meeting.

11. Sarah Canterbury, Associate Counsel, explained her abstract on the rule proposed by the **Secretary of State, Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services, and Upgrades, 153 CSR 10,** and responded to questions from the Committee.

Donald Kersey, General Counsel, Secretary of State, addressed the Committee and responded to questions.

By unanimous consent, the rule was laid to the foot of the agenda.

12. Sarah Canterbury, Associate Counsel, explained her abstract on the rule proposed by the **Secretary of State, Guidelines and Standards for Electronic Notarization, 153 CSR 45.**

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

13. Sarah Canterbury, Associate Counsel, explained her abstract on the rule proposed by the **Alcohol Beverage Control Commission, Private Club Licensing, 175 CSR 02,** and responded to questions from the Committee.

Anoop Bhasin, General Counsel, Alcohol Beverage Control Commission, addressed the Committee and responded to questions.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

14. Sarah Canterbury, Associate Counsel, explained her abstract on the rule proposed by the **Alcohol Beverage Control Commission, Distilleries, Mini-Distilleries, and Micro-Distilleries, 175 CSR 10,** and responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

15. Charlie Roskovensky, Associate Counsel, explained his abstract on the rule proposed by the **Department of Health and Human Resources, Diabetes Self-Management Education, 64 CSR 115,** and responded to questions from the Committee.

Jessica Wright, Director, Division of Health Promotion and Chronic Disease, Department of Health and Human Resources, addressed the Committee and responded to questions.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

16. Cindy Dellinger, Associate Counsel, explained her abstract on the rule proposed by the **Department of Health and Human Resources, West Virginia Clearance for Access, Registry, and Employment Screening, 69 CSR 10.**

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

17. Cindy Dellinger, Associate Counsel, explained her abstract on the rule proposed by the **Department of Health and Human Resources, Lead Abatement Licensing, 64 CSR 45**, and responded to questions from the Committee.

Britt Ludwig, General Counsel, Bureau for Public Health, addressed the Committee and responded to questions.

Paul Ice, Lead Program, Department of Health and Human Resources, addressed the Committee and responded to questions.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

18. Previously laid to the foot of the agenda, the Committee returned to consideration of the rule proposed by the **Secretary of State, Loan and Grant Programs Under the Help America Vote Act (HAVA) for the Purchase of Voting Equipment, Election Systems, Software, Services, and Upgrades, 153 CSR 10**. Counsel explained her abstract, the agency agreed to modifications, and responded to questions from the Committee.

On motion of Delegate Foster, the agency agreed to modifications were adopted.

On motion of Delegate Foster, the rule was approved as modified.

With no further business to come before the Committee, Delegate Foster moved to adjourn. The motion was adopted. The Committee adjourned at 12:06 P.M.